

REMARKS

Applicants thank the Examiner for total consideration given the present application. Claims 1, 4-10, 13-41, 43-58, 60, 61, 63-70, 72, 73, 75-77, 79-80, 82-86 are currently pending of which claims 1, 10, 27, 33, 43, 50, 55, 70, 73, 75, 77, 83, and 85 are independent. Applicants respectfully request reconsideration of the rejected claims in light of the remarks presented herein, and earnestly seek timely allowance of all pending claims.

Rejection Under § 103

A. Claims 27-28, 31-35, 39-41, 43-46, 48, 50-56, 58, 60, 63, 66-70, 72, 73, 75, 77 and 82-86 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Schilit et al. (U.S. Patent No. 6,279,014)[hereinafter "Schilit"] in view of Merritt et al. (U.S. Patent No. 6,041,335)[hereinafter "Merritt"] and in further view of Doyle (U.S. Patent No. 6,058,239)[hereinafter "Doyle"]. Applicants respectfully traverse the rejection.

For a Section 103 rejection to be proper, a *prima facie* case of obviousness must be established. See *M.P.E.P.* 2142. One requirement to establish *prima facie* case of obviousness is that the prior art references, when combined, must teach or suggest all claim limitations. See *M.P.E.P.* 2142; *M.P.E.P.* 706.02(j). Thus, if the cited references fail to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, it is respectfully submitted that none of the cited prior art references, either alone or in combination, teaches all claim limitations. For example, independent claim 27 recites, *inter alia*,

a navigation history feature for recording all document navigations indexed by time so that the system can simultaneously play back, not only the audio clip recorded during the session, but also a sequence of document navigations;
an audio input for receiving verbally delimited keywords and converting said verbally delimited keywords into search queries;
wherein the user interface is controlled by a processor which allows dynamically accessing the audio clips based on the search queries. (*Emphasis added.*)

Independent claims 33, 43, 50, 55, 70, 73, 75, 77, 83, and 85 also recite, *inter alia*, the above-identified claim features with some minor variation in wording.

The Examiner acknowledges that none of Schilit and Doyle, either alone or in combination, teaches or suggests “a navigation history feature for recording all document navigations indexed by time so that the system can simultaneously play back, not only the audio clip recorded during the session, but also a sequence of document navigations” as recited in the above-identified independent claims. Thus, the Examiner imports Merritt as disclosing such feature. More specifically, the Examiner relies on col. 11, lines 20-35 of Merritt to fulfill the deficiency of Schilit and/or Doyle.

It is respectfully submitted that the Examiner’s interpretation of the relied upon section of Merritt is totally erroneous. Merritt merely discloses several process blocks. In process block 88, a glyph 40 is displayed at a position on a primary image 36. In process blocks 90 and 92, a window 94 for receiving an annotation 52 is created. Although Merritt suggests that the annotation 52 may include desired data or information including textual notes 51, graphics, or audio data, there is no indication that such information can be simultaneously played back with glyph 40. Further, although Merritt discloses that the annotation can be stored and ordered by criteria including date, author, and time, again there is no indication of a navigation history feature for recording all document navigations indexed by time so that the system can simultaneously play back, not only the audio clip recorded during the session, but also a sequence of document navigations.

The Examiner further acknowledges that none of Schilit and Merritt, either alone or in combination, teaches or suggests an audio input for receiving verbally delimited keywords and converting said verbally delimited keywords into search queries; wherein the user interface is controlled by a processor which allows dynamically accessing the audio clips based on the search queries. Thus, the Examiner imports Doyle to fulfill this deficiency of Schilit and Merritt.

Doyle merely discloses a conventional method of cataloging videos with vocal tags. The Examiner points to col. 1, lines 50-62 and col. 4, lines 21-33 of Doyle as disclosing an audio input for receiving verbally delimited keywords and converting said verbally delimited keywords into search queries; wherein the user interface is controlled by a processor which

allows dynamically accessing the audio clips based on the search queries. Although Doyle discloses that in a conventional speech recognition system, command applications process discrete utterances that may be a word or phrase that is clearly delimited by silence (see col. 1, lines 55-57), nowhere does Doyle teach or suggest that the word or phrase that is clearly delimited by silence has been converted into search queries. Indeed, Doyle acknowledges that the conventional “delimiting” techniques create a problem in accurately matching utterances stored in a database. (See col. 1, lines 60-63.) Thus, to solve this problem, Doyle suggests using vocal tags. However, nowhere does Doyle teach or suggest that such “vocal tags” are “verbally delimited keywords”, nor does Doyle teach or suggest converting the vocal tags into search queries.

Accordingly, it is respectfully submitted that Doyle fails to teach or suggest “an audio input for receiving verbally delimited keywords and converting said verbally delimited keywords into search queries . . . dynamically accessing the audio clips based on the search queries” as recited in independent claim 27.

Therefore, for at least these reasons, independent claim 27 is patentably distinct from Schilit, Merritt, and Doyle. As mentioned above, independent claims 33, 43, 50, 55, 70, 73, 75, 77, 83, and 85 recite similar claim features as in claim 27. Therefore, these claims are also patentably distinct from Schilit, Merritt, and Doyle for the same reasons stated above in regard to claim 27.

Claims 28, 31-32, 34-35, 39-41, 44-46, 48, 51-54, 56, 58, 60, 63, 66-69, 72, 82, 84 and 86, which depend from these independent claims are patentably distinct from Schilit, Merritt, and Doyle for at least the same reasons as their ultimate base claims and further in view of the novel features recited therein.

B. The Examiner rejects claims 1, 4-6, 9-10, and 13-26 under 35 U.S.C. § 103(a) as being unpatentable over Milne et al. (U.S. Patent No. 5,390,138)[hereinafter “Milne”] in view of Merritt in further view of Doyle. The Examiner rejects claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Milne in view of Merritt and Doyle, as applied to claim 6, in view of

Hou et al. (U.S. Patent No. 5,838,313)[hereinafter "Hou"]. The Examiner rejects claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Milne in view of Merritt and Doyle, as applied to claim 6, in view of Dwyer et al. (U.S. Patent No. 6,571,211)[hereinafter "Dwyer"]. The Examiner rejects claim 29 under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Merritt and Doyle, and further in view of Headley et al. (U.S. Patent Application No. 2002/0194260)[hereinafter "Headley"]. The Examiner rejects claim 30 under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Merritt and Doyle, and further in view of Aihara et al. (U.S. Patent No. 5,644,674)[hereinafter "Aihara"]. The Examiner rejects claim 36 under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Merritt and Doyle, and further in view of Fielder et al. (U.S. Patent No. 6,205,419)[hereinafter "Fielder"]. The Examiner rejects claim 37 under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Merritt and Doyle, and further in view of Hou. The Examiner rejects claim 38 under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Merritt, Doyle and Hou, as applied to claim 37, further in view of Dwyer. The Examiner rejects claim 49 under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Merritt and Doyle, and further in view of Pritt et al. (U.S. Patent No. 5,689,717)[hereinafter "Pritt"]. The Examiner rejects claim 57 and 61 under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Merritt and Doyle, and further in view of Jain et al. (U.S. Patent No. 6,144,375)[hereinafter "Jain"]. The Examiner rejects claims 64-65 under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Merritt and Doyle, and further in view of Martin et al. (U.S. Patent No. 6,272,484)[hereinafter "Martin"]. The Examiner rejects claims 79-80 under 35 U.S.C. § 103(a) as being unpatentable over Schilit in view of Merritt and Doyle, and further in view of Miller et al. (U.S. Patent No. 5,801,685)[hereinafter "Miller"].

Applicants respectfully traverse these rejections for the following reasons. Applicants' independent claim 1 recites, *inter alia*,

a navigation history feature for recording all document navigations indexed by time so that both the audio clip recorded during the session and a sequence of document navigations can be played back simultaneously;
wherein said audio input receives verbally delimited keywords and converts said verbally delimited keywords into search queries, and

wherein the processor allows dynamically accessing the audio clips based on the search queries." (*Emphasis added.*)

Independent claim 10 also recites, *inter alia*, the above-identified claim features with some minor variation in wordings. As demonstrated above in great detail, none of the cited prior art references, either alone or in combination, teaches or suggests the above-identified claim features of claims 1 and 10. Therefore, it is respectfully submitted that independent claims 1 and 10 are distinguishable from the applied prior art references. Claims 4-10 depend from claim 1 and claims 13-26 depend from claim 10. Thus, these claims are at least allowable by virtue of their dependency on corresponding independent claim.

Dependent claims 29-30, 36-38, 47, 49, 57, 61, 64-65, 76, and 79-80, are at least allowable by virtue of their dependency on corresponding allowable independent claims 27, 33, 43, 55, 73, or 75. None of Headley, Aihara, Hou, Dwyer, Milne, Pritt, Jain, Hurtado, Martin, or Miller, overcomes the above-identified deficiencies of cited prior art references applied against the independent claims 27, 33, 43, 55, 73, 75.

Further, in regard to claim 36, it is respectfully submitted that another requirement to establish *prima facie* case of obviousness is that there must be a suggestion or motivation within the cited reference(s) to modify the reference(s) as proposed in the Office Action. *See M.P.E.P. 2143.01.* The cited reference must be considered in its entirety including disclosures that teach away from the claimed invention. *See M.P.E.P. 2141.02.* **If the cited reference(s) teach away from the claimed invention, then the combination is improper and the rejection must fail.**

In this instance, it is respectfully submitted that Fielder teaches away from the claimed invention. For example, claim 36 recites, *inter alia*, "recording all ambient sounds." Contrary to the claimed invention, Fielder teaches "cancellation of ambient noise." (See col. 6, line 43 of Fielder.) Accordingly, the Examiner is requested to withdraw the rejection of claim 36 based on Merritt, Dolye, and Fielder.

CONCLUSION


In view of the above remarks, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ali M. Imam Reg. No. 58,755 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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